



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/553,150

12/22/2005

Jurgen Althammer

P/37-185

1801

2352 7590 03/16/2011
OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

KEE, FANNIE C

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

03/16/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/553,150	Applicant(s) ALTHAMMER, JURGEN	
	Examiner Fannie Kee	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: replace “sections” with --section-- between the words “second pipe” and “being movable” in line 4.

Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Knapman et al Great Britain Application No. 1,223,846.

With regard to claim 1, Knapman et al disclose a coupling device comprising:

a first pipe section (section attached to 20); and

a second pipe section (section attached to 3), the first pipe section and the second pipe sections being movable relative to each other;

the first pipe section having a first flange (20) at an end thereof, the first flange having an end face;

the second pipe section having a second flange (3) at an end thereof, the second flange being mutually sealed with the first flange, the second flange including an end face facing the

Art Unit: 3679

first flange, the end face of the second flange having an annular groove (12), the second flange further including at least one duct (17) leading to the annular groove and being configured to selectively provide compressed air or an underpressure to the annular groove; and

a sealing element (13) being disposed within the annular groove, the sealing element being a sealing ring made of an elastic material, the sealing ring being pressed against the end face of the first flange when the compressed air is provided to the annular groove by the at least one duct, and the sealing ring being sucked into the annular groove when the underpressure is provided to the annular groove by the at least one duct (page 2, lines 37-42).

With regard to claim 3, Knapman et al disclose the sealing ring (13) having a circular cross section.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knapman et al.

With regard to claim 5, Knapman et al disclose the claimed invention but do not disclose that the coupling device is disposed in a cleaning, disinfecting, and drying plant so as to couple a receiving trolley and a washing chamber, the first pipe section and the first flange being fastened

Art Unit: 3679

to the receiving trolley, and the second pipe section being fastened to the washing chamber by the second flange. Knapman et al teach that the coupling device can be used to couple heavy structures (such as a diving bell and decompression lock or, as in this case, a receiving trolley and a washing chamber) together to provide a gas-tight connection and to provide compensation for angular misalignment during coupling without having to adjust for misalignment (page 1, lines 16-18, lines 21-25, and lines 30-36)..

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the coupling device be disposed in a cleaning, disinfecting, and drying plant so as to couple a receiving trolley and a washing chamber to provide a gas-tight connection and to provide compensation for angular misalignment during coupling without having to adjust for misalignment as taught by Knapman et al.

Response to Arguments

6. Applicant's arguments filed 12/14/10 have been fully considered but they are not persuasive.

a. Applicant argues that Knapman et al only appears to provide an overpressure but not an underpressure to the sealing ring. Applicant argues that claim 1 requires both a compressed air (overpressure) and an underpressure which is not provided by Knapman et al.

Examiner disagrees with Applicant's argument that claim 1 requires an overpressure and an underpressure. Rather, claim 1 only requires that the duct be configured (in other words "capable of") to selectively provide an overpressure or an

Art Unit: 3679

underpressure to the annular groove. As Knapman et al is capable of providing an overpressure to the annular groove through the duct, Knapman et al is also capable of providing an underpressure to the annular through the duct therefore the duct is capable of providing both an overpressure and an underpressure to the annular groove.

Further, it has been held that the recitation that an element is “adapted to [capable of]” perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3679

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AARON DUNWOODY/
Primary Examiner, Art Unit 3679

/F. K./
Examiner, Art Unit 3679
March 10, 2011